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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Marcos Della

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07/11/2006

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EXAMINER

BATURAY, ALICIA

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/920,083

Applicant(s)

DELLA, MARCOS

Examiner

Alicia Baturay

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-3, 14 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) 4-13 and 15-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 14 and 21-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 05192006.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to the amendment filed 7 April 2006.
2. Claims 1-11 and 13-23 were amended.
3. Claims 4-13 and 15-20 were withdrawn.
4. Claims 1-3, 14 and 21-23 are pending in this Office Action.

Response to Amendment

5. The objection to claim 2 regarding minor informalities was addressed and is withdrawn.
6. The rejection is respectfully maintained as set forth in the last Office Action mailed on 4 January 2006. Applicant's arguments with respect to claims 1-3, 14 and 21-23 have been fully considered but they are not persuasive and the old rejection maintained.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Grunnér (U.S. 6,199,165).

With respect to claim 1, Grunnér teaches a web server architecture (Grunnér, col. 4, lines 53-57) comprising a web interface for providing a plurality of data transmission paths to the web and directly between the web interface and the web (Grunnér, col. 3, lines 13-25), where at least one of the plurality of data transmission paths is an unrestricted data transmission path (Grunnér, col. 3, lines 25-27) and where at least one other of the plurality of data transmission paths is a restricted data transmission path (Grunnér, col. 3, lines 27-30).

9. With respect to claim 3, Grunnér teaches the invention described in claim 1, including the web server architecture where the web interface discriminates sensitive data and routes the data to the restricted data transmission path (Grunnér, col. 3, lines 56-63).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 2, 14, and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grunnér and further in view of Miller et al. (U.S. 6,192,410).

Grunnér teaches the invention substantially as claimed including a user system that recognizes data as being either secure or general (non-secure). The user system transmits the

secure data from an ISDN circuit on the D-channel, and the general data on the B-channel. A frame handler in the digital exchange recognizes the secure data in the D-channel and routes it via a physically separate telecommunications link to the service provider (see Abstract).

12. With respect to claim 2, Grunnér teaches the invention described in claim 1, including the web server architecture with a restricted data transmission path (Grunnér, col. 3, lines 27-30).

Grunnér does not explicitly teach the use of a firewall.

However, Miller teaches a restricted data transmission path comprising a firewall device for preventing the transmission of unauthorized data (Miller, col. 7, line 53 – col. 8, line 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Grunnér in view of Miller in order to enable the use of a firewall. One would be motivated to do so in order to prevent unauthorized outsiders from accessing sensitive information within computing enterprises.

13. With respect to claim 14, Grunnér teaches a method of efficiently transmitting data between the web and a web server network having a plurality of web servers, the method comprising the steps:

Discerning sensitive and non-sensitive data (Grunnér, col. 3, lines 56-58); routing non-sensitive data through a non-restricted pathway directly between the web and the web server network; and routing sensitive data through a restricted pathway between the web and the web server network (Grunnér, col. 3, lines 59-63).

Grunnér does not explicitly teach the use of a firewall.

However, Miller teaches the restricted pathway comprising a firewall device located between the web and the web server network (Miller, col. 7, line 53 – col. 8, line 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Grunnér in view of Miller in order to enable the use of a firewall. One would be motivated to do so in order to prevent unauthorized outsiders from accessing sensitive information within computing enterprises.

14. With respect to claim 21, Grunnér teaches the invention described in claim 14, including the method further comprising connection means for connecting the system to the web comprising a plurality of data transmission pathways for transmitting data between the system and the web (Grunnér, col. 3, lines 59-63).

15. With respect to claim 22, Grunnér teaches the invention described in claim 21, including the method further comprising connection means for connecting the system to the web comprises a plurality of data transmission pathways for transmitting data between the system and the web (Grunnér, col. 3, lines 59-63).

Grunnér does not explicitly teach the use of a firewall.

However, Miller teaches where one of the data transmission pathways comprises a firewall (Miller, col. 7, line 53 – col. 8, line 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Grunnér in view of Miller in order to enable the use of a firewall. One

would be motivated to do so in order to prevent unauthorized outsiders from accessing sensitive information within computing enterprises.

16. With respect to claim 23, Grunnér teaches the invention described in claim 21, including the method where discriminating sensitive data (Grunnér, col. 3, lines 56-58) and routing the sensitive data to the transmission pathways (Grunnér, col. 3, lines 59-63)

Grunnér does not explicitly teach the use of a firewall.

However, Miller teaches routing the sensitive data to the transmission pathways includes directing the sensitive data through the firewall (Miller, col. 7, line 53 – col. 8, line 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Grunnér in view of Miller in order to enable the use of a firewall. One would be motivated to do so in order to prevent unauthorized outsiders from accessing sensitive information within computing enterprises.

Response to Arguments

17. Applicant's arguments filed 7 April 2006 have been fully considered, but they are not persuasive for the reasons set forth below.
18. ***Applicant Argues:*** Applicant states "In contrast to the teachings of Grunnér in the present invention is directed to a 'multi-path data transmission architecture' (MPDTA) at the server-systems level that is configured for controlling the distribution of sensitive and non-sensitive data at the server-systems level and directly between the server-system and the web and does not require or use a separate transmission link, line or path for transmitting the non-sensitive data outside of the server-system level, as is the case with Grunnér... Applicant contends that the features of the web server architecture comprising a web interface for providing a plurality of data transmission paths to the web, wherein at least one of the plurality of data transmission paths is an unrestricted data transmission path and wherein at least one of the plurality of transmission paths is a restricted data transmission path such as recite [sic] in the independent Claim 1 are neither taught nor suggested by the teachings of Grunnér."

In Response: The examiner respectfully submits that Grunnér teaches a web server architecture (While the invention has been described for use between a user system and a service provider, it is envisaged that it may be used more generally between any two systems which process data and need to communicate secure data between each other – see Grunnér, col. 4, lines 53-57) comprising a web interface for providing a plurality of data transmission paths to the web and directly between the web interface and the web (Each user system

comprises a data processor...the data processor is programmed to allow communication for such things as payment of bills and on-line banking generally. These programs identify data as being either secure or general – see Grunnér, col. 3, lines 13-25), where at least one of the plurality of data transmission paths is an unrestricted data transmission path (general data is transmitted in convention manner via the B-channel of the ISDN line and the Internet – see Grunnér, col. 3, lines 25-27) and where at least one other of the plurality of data transmission paths is a restricted data transmission path (secure data is transmitted on a secure path comprising the ISDN line D-channel and a telecommunications network linking the exchange and the service provider – see Grunnér, col. 3, lines 27-30). This renders the rejection proper, and thus rejection stands.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2155

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay
July 5, 2006

Bharat Barot
BHARAT BAROT
PRIMARY EXAMINER